

B. REMARKS**1. Status of Application**

This application includes claims 1-19. Claims 1 and 14 were objected to for grammatical informalities. Claims 1-8 and 11-15 were provisionally rejected under 35 U.S.C. §102(e) as anticipated by published U.S. Patent Application No. 2002/0180335 A1 (Ser. No. 09/909,195) to Saitou et al. (“Saitou”), and claims 9, 10, and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Saitou alone.

By this response, claims 1, 2, 4, 6, 8, 11, 12 and 14 are amended. The claims are presented pursuant to the Notice dated 06/03/03 entitled “REVISED AMENDMENT PRACTICE: 37 CFR 1.121 CHANGED.”

2. Discussion**a. Amendments**

Claims 1 and 14 are amended to clarify that the color CRT comprises a panel “having a phosphor screen.” Claims 1, 2, 4, 6, 8, 11, 12 and 14 are amended to clarify the “first outer diameter” and “second outer diameter” of the neck portion. Claims 2, 6, and 8 are also amended to correct informalities.

b. Rejections Under §102(e) and 103

Claims 1-20 were provisionally rejected under 35 U.S. §102(e) as being anticipated by Saitou or for being unpatentable under 35 U.S.C. §103(a) in view of Saitou alone.

Saitou has a U.S. filing date of July 19, 2001. Furthermore, Saitou is not based on an international application, so it is not entitled to a “U.S. filing date” any earlier than its actual July 19, 2001 U.S. filing date.

The present application claims priority to Japanese Patent Application No. 2001-17348 filed June 8, 2001, and the Examiner has indicated that the claim to convention priority, as well as a certified copy of the Japanese priority document, have been received by the U.S.P.T.O.

Applicants respectfully point out that the present application is entitled to a date of invention at least as early as the June 8, 2001 priority date, which is before the July 19, 2001 U.S. filing date of Saitou. Applicants thus submit that Saitou is not properly citable as prior art under 35 U.S.C. § 102(e) against the present application. Accordingly, applicants submit that any provisional rejection under 35 U.S.C. §§ 102(e), 103 of the present claims that relies on Saitou, either alone or in combination with other references, would be improper.

c. Double-Patenting Rejections

In the Office Action, the Examiner states that “copending claims 1 and 8 [of Saitou] do not include limitations directed to the main lens,” and that “[p]rojection tubes conventionally include a main lens.”

Applicants submit that none of the claims of Saitou recite either (1) a “focus electrode which has a portion thereof inserted into the inside of the final electrode” or (2) a “final electrode” having “a portion whose diameter is gradually decreased toward the phosphor screen.” As noted by the Examiner, the combination of these recited structural elements is neither taught nor suggested anywhere in the claims of Saitou. Applicants additionally submit that neither of these claimed features are “conventionally include[ed] in the main lenses of projection tubes. Accordingly, applicants submit that a person of ordinary skill in the art would not have considered that the claims of the present invention and those of Saitou are directed to

substantially the same invention. Accordingly, applicants submit that the provisional double-patenting rejection over Saitou should be withdrawn.

d. Information Disclosure Statement

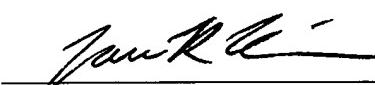
The Applicants have submitted, on an even date herewith, an Information Disclosure Statement listing the references considered during the prosecution of Saitou. The Examiner is respectfully requested to consider these references.

3. Conclusion

It is respectfully submitted that the present application as amended is in condition for allowance and prompt notification thereof is requested. If the prosecution of this application can be advanced by a telephone conference, the Examiner is requested to call the undersigned at (212) 530-5363.

Respectfully submitted,

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